

roads, as the same shall be ascertained upon their records; provided nevertheless, that the said roads shall be so apportioned, divided and described, as not to require a greater number of supervisors than six in any one hundred of the said county; and that the said justices, or a majority of them, may adjourn from day to day until the said roads shall be duly ascertained, and supervisors appointed as aforesaid; and every supervisor so appointed shall give bond to the state of Maryland, with such security as shall be approved of by the said justices, in such sum or penalty as the said justices shall require, for the performance of his duty.

IV. AND BE IT ENACTED, That if any supervisor or supervisors already appointed, or to be appointed, shall refuse to act, or remove out of the district, become disqualified, or die, it shall and may be lawful for any two of the neighbouring justices of the peace to supply every vacancy so happening, by the appointment of another person, who shall give bond as aforesaid, with such security, and in such penalty, as shall be approved of by the aforesaid justices of the peace, and they shall certify every such appointment, under their hands, to the clerk of the county, who shall record the same, and within ten days thereafter shall issue a warrant to the person so appointed, and deliver the same to the sheriff, to be served upon the party in the same manner, and under the same penalty, as directed in such case by this act.

How vacancies
are to be filled.

V. AND BE IT ENACTED, That the justices of the levy court shall, at their annual meeting under this act for the regulation of the conduct of the supervisors, fix and establish reasonable rates for the hire of labourers, horses, carts, waggons or other carriages, to be worked or used on the public roads of the said county, and shall publish the same in every hundred of the said county; and each of the supervisors are hereby authorized and empowered to hire and employ, if necessary, at reasonable wages, not exceeding such wages as shall be established under the regulations before recited; a sufficient number of labourers to work on the public roads, and to hire and employ horses, carts, waggons or other convenient carriages, for the purpose of carrying earth, gravel, stones, timber, and other heavy articles necessary for making, amending and keeping in repair, the said roads, bridges and causeways.

Justices may est-
ablish rates,
&c.

VI. AND BE IT ENACTED, That the justices of the levy court shall, at every such meeting, make out distinct lists of all the taxable inhabitants within the said county, together with the amount of their road taxes, and furnish the collector of the county with copies thereof within ten days after their meeting.

Make out lists,
&c.

VII. AND BE IT ENACTED, That when the said justices shall meet in session at their levy court, they, or a majority of them, shall, on application in writing, signed by two thirds of the inhabitants of any hundred through which any roads pass, to widen and straighten any old road laid out as a public road, shall appoint three discreet persons, freeholders in the said county, as commissioners, not holding any part of the lands through which the said road or roads may pass, nor related to the person or persons holding the land that may be affected by the running of the said roads, to view, survey and plot, the said road so applied for, and make a return thereof to the said court at their next meeting, who, on receiving such plot or plots, shall examine the same, and all the evidence that shall or may be offered for or against the said road or roads, as returned, and may reject or confirm the same as a public road, or may direct the said commissioners to alter and amend the said plot, and when so amended, may reject or confirm the same, and when confirmed, shall accordingly direct the commissioners to mark and bound the said road or roads, not exceeding thirty feet in width, clear of ditches, and direct a supervisor or supervisors to clear and improve the same, in the same manner, and on the same terms, as other roads, and upon completing the same, it shall be deemed a public road, and be kept in repair as all other public roads in said county are by this law directed; provided, that notice be set up in writing, by advertisement, at least three weeks, in the most public places in such hundred or hundreds; by some one inhabitant or inhabitants thereof, (previous to their offering a petition or petitions,) declaring their intention to apply to the justices of the levy court for the purposes aforesaid.

On application
appoint per-
sons, &c.

VIII. AND BE IT ENACTED, That whenever any old road shall be altered in its breadth or direction as aforesaid, the justices aforesaid may agree with the persons over whose land such road or roads may pass for the amount of the damages sustained, but if no agreement be made, they shall issue their warrant, directed to the sheriff of the said county, commanding him to summon and return a jury of twelve good and lawful men of the said county, not interested or related to the party or parties, to be and appear before one of the said justices on the premises, at a certain day in the said warrant to be expressed, which jury, on their oath or affirmation, shall inquire who is or are the owner or owners of

And agree for
damages, &c.